

1
2
3
4
5
6 UNITED STATES DISTRICT COURT
7 WESTERN DISTRICT OF WASHINGTON
8 AT SEATTLE

9 UNITED STATES OF AMERICA,

10 Plaintiff,

11 v.

12 MORGAN BRYANT,

13 Defendant.
14

Case No. CR18-209-RSL

ORDER GRANTING
MOTION TO CONTINUE
TRIAL AND PRETRIAL
MOTIONS DEADLINE

15
16 This matter comes before the Court on the defendant's unopposed "Motion to
17 Continue Trial and Pretrial Motions Deadline." Dkt. #19. Having considered the facts
18 set forth in the motion, and the defendant's knowing and voluntary waiver, the Court
19 finds as follows:

20 1. The Court adopts the facts set forth in the unopposed motion; specifically,
21 that the government produced initial discovery to defense counsel, consisting of
22 approximately 712 pages, on September 14, 2018, and that additional discovery is
23 forthcoming pursuant to a protective order. The Court accordingly finds that a failure to
24 grant a continuance would deny counsel, and any potential future counsel, the
25 reasonable time necessary for effective preparation, taking into account the exercise of
26 due diligence, within the meaning of 18 U.S.C. § 3161(h)(7)(B)(iv).

1 2. The Court finds that a failure to grant a continuance would likely result in
2 a miscarriage of justice, as set forth in 18 U.S.C. § 3161(h)(7)(B)(i).

3 3. The Court finds that the additional time requested between November 5,
4 2018, and the proposed trial date of January 22, 2019 is a reasonable period of delay, as
5 defense counsel needs additional time to review discovery and to perform
6 investigations; and that this additional time is necessary to provide defense counsel
7 reasonable time to prepare for trial, considering all of the facts set forth above.

8 4. The Court further finds that this continuance would serve the ends of
9 justice, and that these factors outweigh the best interests of the public and the defendant
10 in a more speedy trial, within the meaning of 18 U.S.C. § 3161(H)(7)(A).

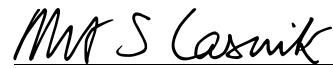
11 5. Defendant has signed a waiver indicating that he has been advised of his
12 right to a speedy trial and that, after consulting with counsel, he has knowingly and
13 voluntarily waived that right and consented to the continuation of his trial to a date up
14 to and including February 15, 2019, Dkt. #20, which will permit trial to start on January
15 22, 2019, per defense counsel's request.

16 IT IS HEREBY ORDERED that the trial date be continued from November 5,
17 2018, to January 22, 2019.

18 IT IS FURTHER ORDERED that the pretrial motions cutoff date be continued
19 to December 13, 2018.

20 IT IS FURTHER ORDERED that the period of time from the current trial date
21 of November 5, 2018, up to and including February 15, 2019, shall be excludable time
22 pursuant to the Speedy Trial Act, 18 U.S.C. § 3161, *et seq.* The period of delay
23 attributable to the filing and granting of this motion is excluded for speedy trial
24 purposes pursuant to 18 U.S.C. §§ 3161(h)(1)(D), (h)(7)(A), and (h)(7)(B).
25
26

1 DATED this 24th day of September, 2018.

2
3 
4 Robert S. Lasnik
5 United States District Judge
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26